

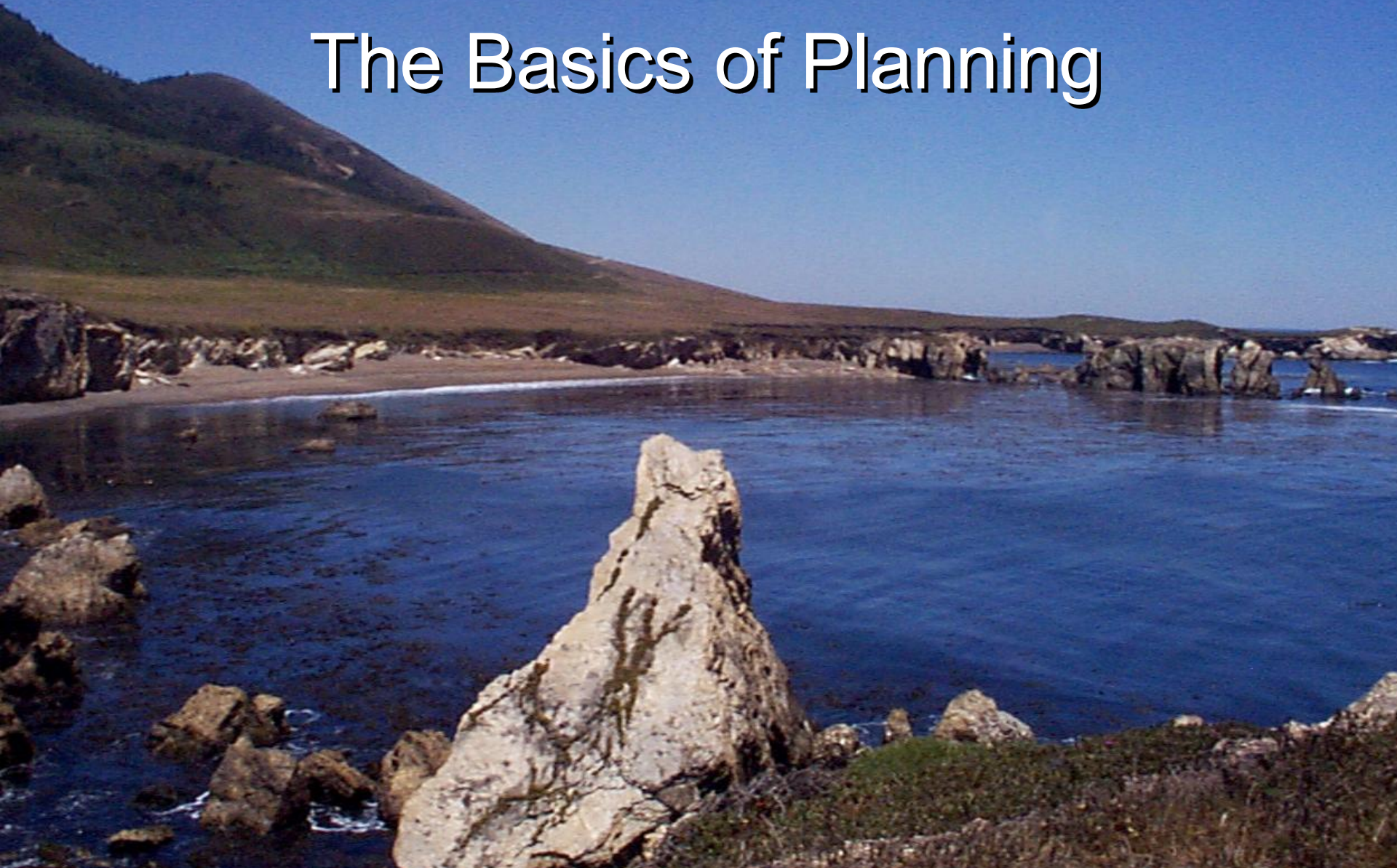


Community Advisory Council

Annual Workshop

April 24, 2009

PLANNING 101: The Basics of Planning



Land Use Planning: Definition

“The process by which public agencies, mostly local governments, determine the intensity and geographical arrangement of various land uses in a community”

Laws Affecting Land Use Planning in California

- Planning Zoning & Development Law
- **General Plan Law**
- Subdivision Map Act
- **California Environmental Quality Act**
- U.S. & California Clean Air Act
- U.S. & California Endangered Species Act
- U.S. Clean Water Act

Ministerial or Discretionary?

■ Ministerial Permits

- Comply with zoning and building regulations.
- Approved administratively (no hearing)

■ Discretionary Permits

- Discretion exercised by decision makers – approve, deny or modify the project.
- Environmental review under the California Environmental Quality Act (CEQA).
- **Referred to Community Advisory Councils**

Ministerial or Discretionary?

Ministerial

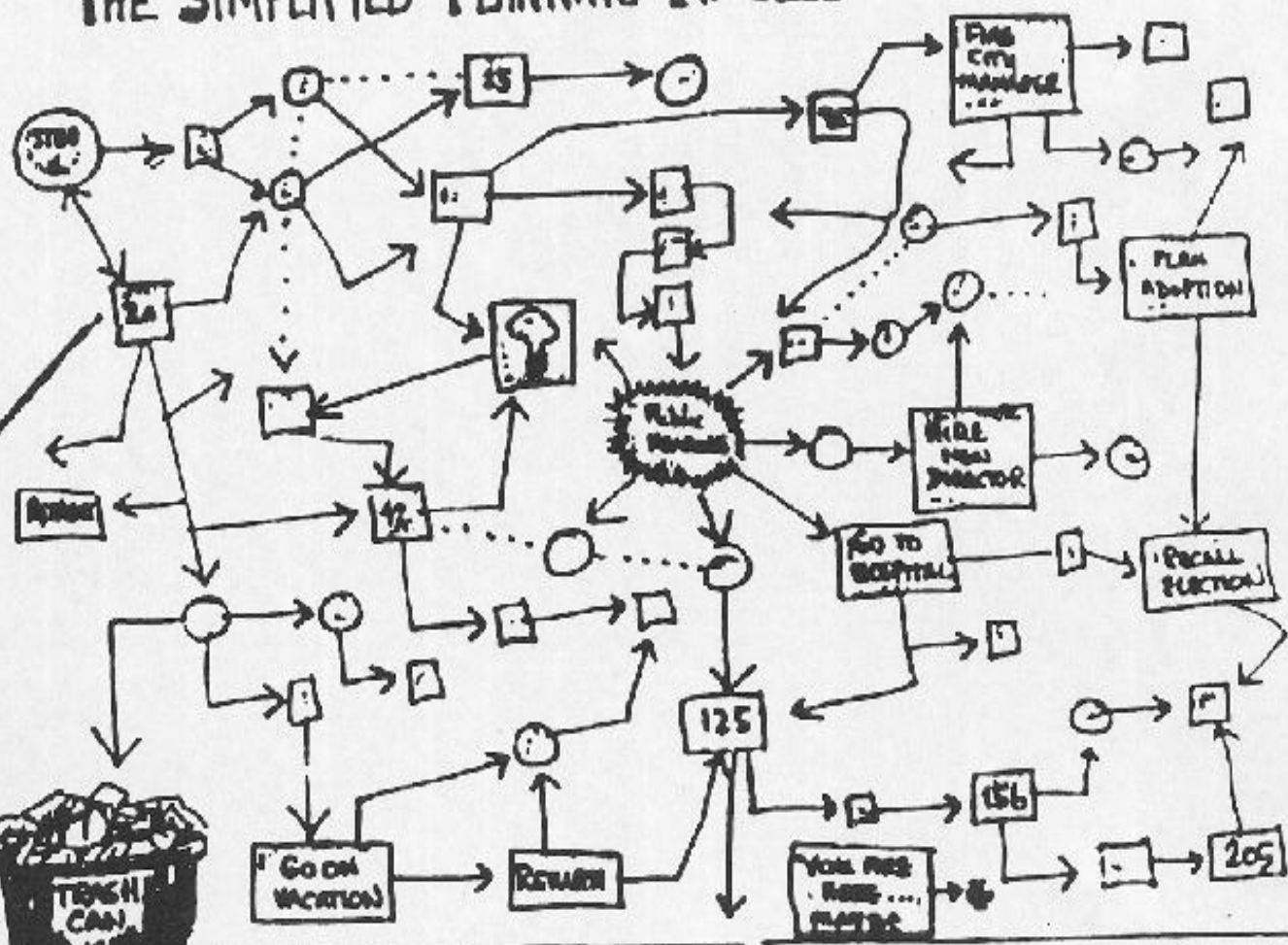
- Building Permit
- Zoning Clearance
- Site Plan

Discretionary

- Land Use Permits
 - Minor Use Permit
 - Conditional Use Permit
 - Variance
- Land Divisions
 - Parcel Map, Tract Map
 - Lot Line Adjustment
- General Plan Amendment
- Ordinance Amendment

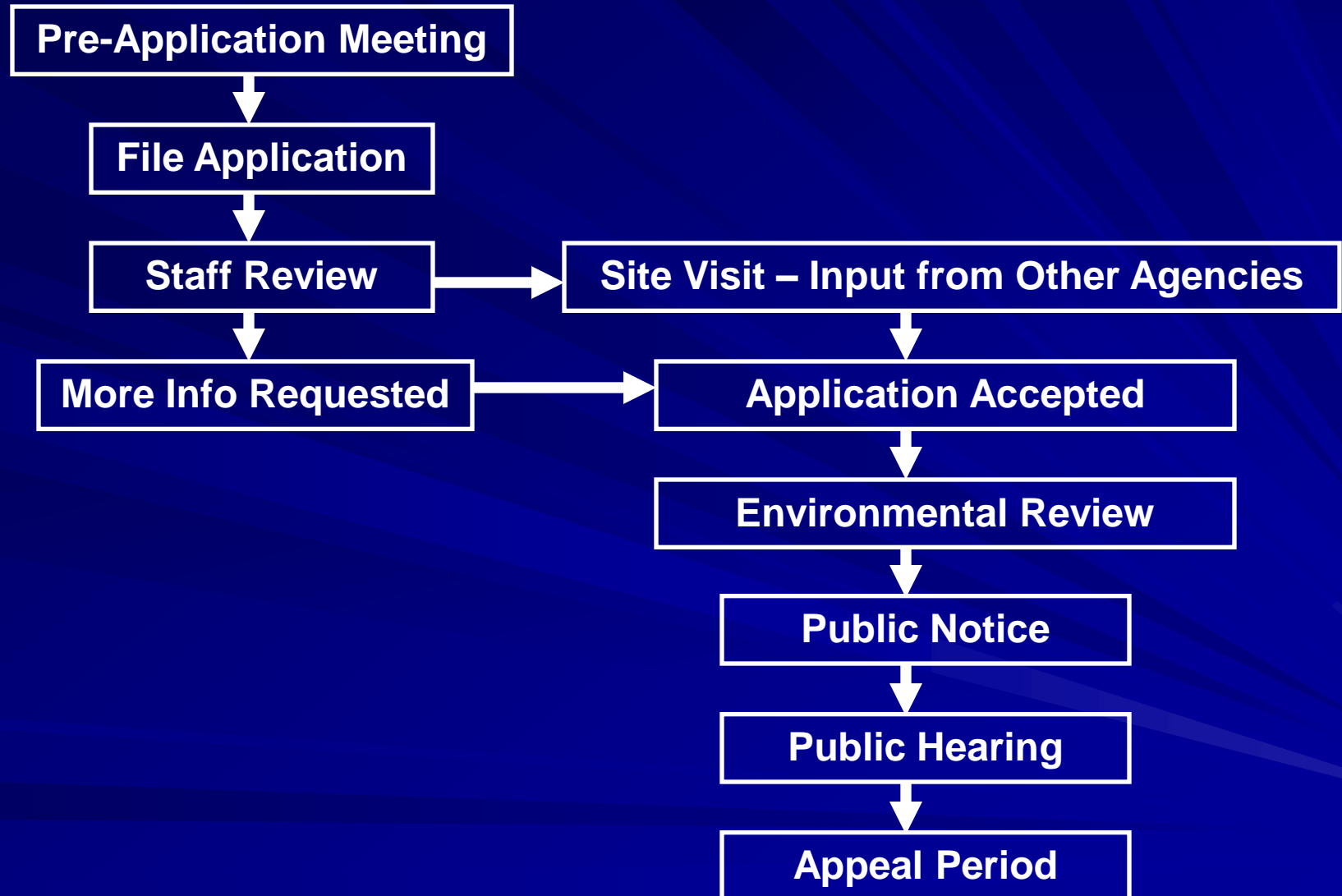


THE SIMPLIFIED PLANNING PROCESS



HARMAN

Process - Discretionary Permit



Referrals Sent To



Action by Decision-Makers

Staff Review: General Plan

- *Land Use*
- *Circulation*
- *Housing*
- *Safety*
- *Conservation*
- *Open Space*
- *Noise*
- *Parks & Recreation*
- *Aesthetic*
- *Historic*
- *Agriculture*
- *Offshore Energy*
- *Energy*
- *Economic*

County Area Plans

Adelaida

El Pomar-Estrella

Estero

Huasna-Lopez

Las Pilitas

Los Padres

Nacimiento

North Coast

San Luis Bay

San Luis Bay (Coastal)

Salinas River

San Luis Obispo

Shandon-Carrizo

South County

South County (Coastal)

Staff Review: Area Plans

- Address land use, transportation and public facilities for each planning area (includes Circulation Element)
- Refine general goals in Framework for each planning area, based on local conditions, needs, desires
- Also address population, economy, natural resources, and community design

Staff Review - Specific Plans and Design Plans

- **Lake Nacimiento Resort Specific Plan**
 - **Woodlands Specific Plan**
 - **Avila Beach Specific Plan**
 - **Oceano Specific Plan**
-
- **San Miguel Community Design Plan**
 - **Templeton Community Design Plan**
 - **Santa Margarita Design Plan**
 - **West Tefft Corridor Design Plan**

Staff Review: Land Use Ordinance

- Allowable uses chart and definitions of land uses
- Development standards, permit procedures
- Land Use Ordinance vs. Coastal Zone LUO

Staff Review:

California Coastal Act

- A portion of the county is within the *coastal zone*, which is a specific area designated by the 1976 California Coastal Act.
- Within the coastal zone, each local government must prepare a Local Coastal Program for that portion of the coastal zone within its jurisdiction.

Community Advisory Councils



Referrals

- Link between CAC's and decision-makers
 - Provide input to decision-makers before decisions are made.
 - Provide local perspective to decision-makers.

Referrals

- Examples of **effective** referral language:

The CAC has reviewed the project and has the following comments:

- Lighting/glare impacts adjacent properties
- Insufficient landscaping/screening
- Substantial changes to architecture needed to ensure consistency with the local design plan
- Site historically floods
- Intersection is congested during rush hour commute

Referrals

■ Examples of **ineffective** referral language:

“The CAC denies/approves the project....”

“The CAC votes to deny until the project is changed...”

“The CAC will approve if the following changes are made...”

“The CAC approves because John Smith is a fine fellow...”

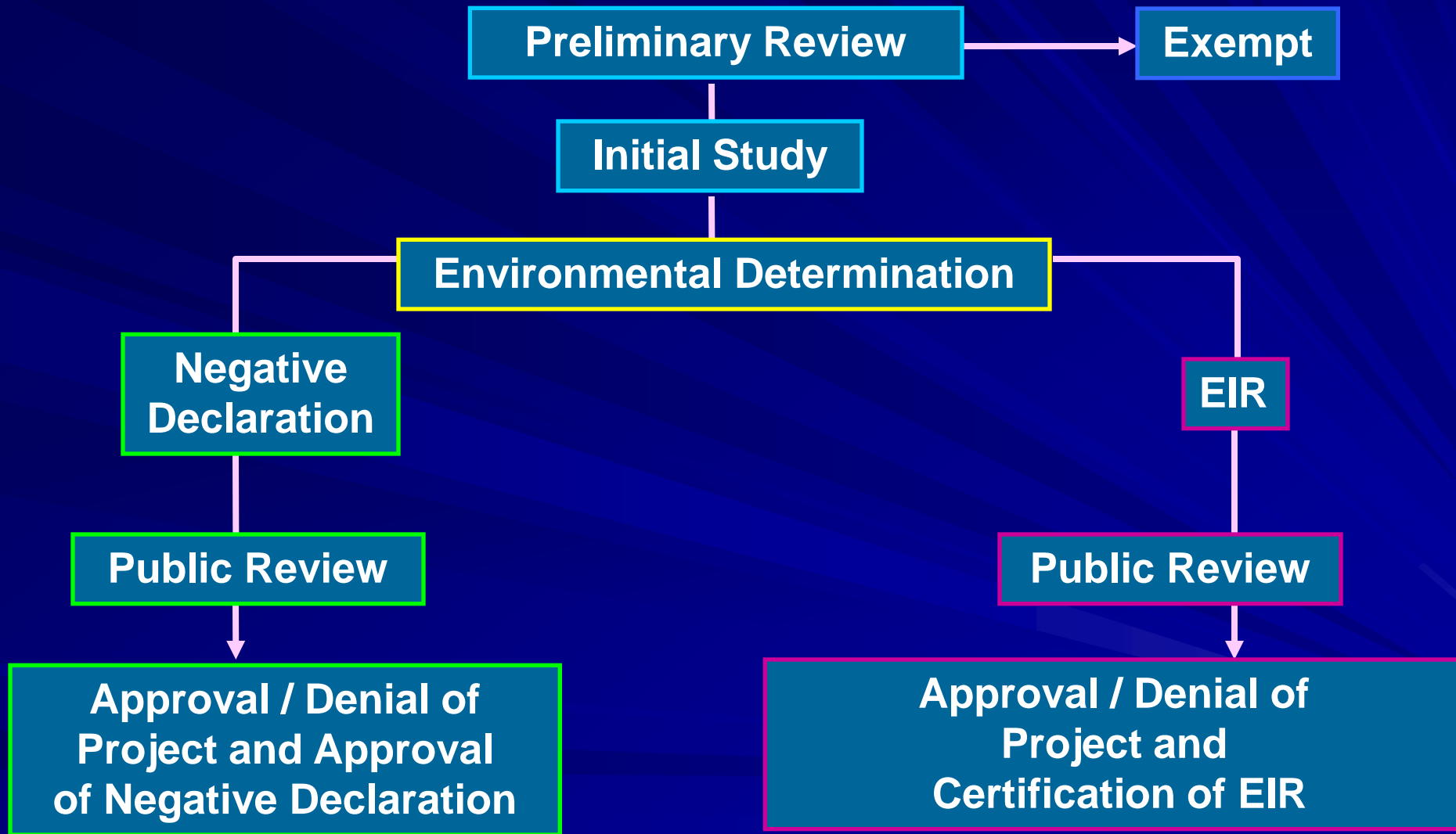


THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Basic Purposes of CEQA

- Provide info about environmental impacts
- Identify and prevent environmental damage
- Consider mitigation and alternatives
- Encourage public participation
- Foster interagency coordination

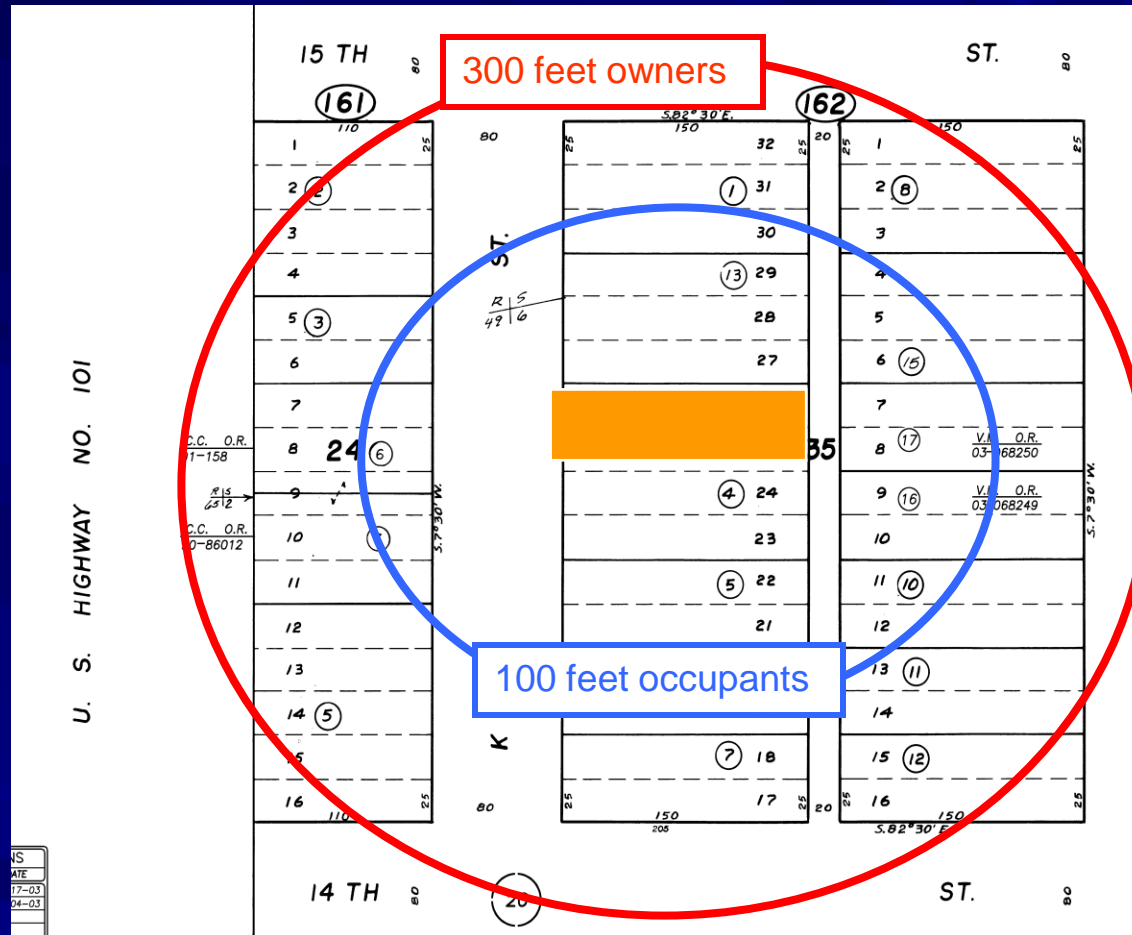
Summary of County's Environmental Review Process



Environmental Issues

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards/Hazardous Materials
- Noise
- Public Services
- Recreation
- Transportation
- Wastewater
- Water
- Land Use

Public Notice



Public Hearing



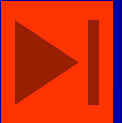
Appeals

- Any **discretionary** decision can be appealed by anyone:
 - Request an appeal
 - Address appeal issues
 - Appeal heard by Board of Supervisors
 - Board of Supervisors decision is final

Coastal Commission: Appealable Development

- Some development in the coastal zone is appealable to the California Coastal Commission.
 - Between the First Public Road and the ocean
 - Within 100 feet of any watercourse or wetlands
 - In a Sensitive Resource Area

Questions?



Land Use Planning: Definition

In other words:

- How it gets decided
- What gets built
- What doesn't get built
- And where!

Staff Review: Land Use Element

- Three parts make up the county LUE (for both the Inland and Coastal Zone areas):
 - Framework for Planning
 - The Area Plans (11 inland, 4 coastal)
 - Official Land Use Maps
- In Coastal Zone: Local Coastal Plan (includes Coastal Plan Policies)

“Info Hold” or Acceptance

- Within 30 days of the project submittal date, staff will send the applicant either:
 - An “Info Hold” letter
 - Letter of Acceptance